

REMARKS

Claims 1-20 are pending. Claims 2, 3, 6-16 and 18 have been allowed, and claims 1, 4, 5, 17, 19 and 20 have been finally rejected. Entry of the amendment to claim 1 contained herein is respectfully requested to place the application in better condition for allowance or appeal. Reconsideration of the application in view of the amendments and remarks contained herein is respectfully requested.

Claims 1, 4, 5, 17, 19 and 20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Renfro, which teaches a substituted 2-(3-pyridyl)indole compound in example 17. Applicants traverse this rejection for the following reasons.

In the claims as amended herein, the substituent at the 2-position of the indole (R₃) cannot be pyridyl, whereas Renfro requires a pyridyl substituent at that position of the indole. Therefore, the cited reference does not render the claims unpatentable under § 102(b). The cited reference does not teach or suggest the claimed invention. Consequently, Applicants respectfully request withdrawal of this rejection.

Applicants respectfully request the allowance of all of claims 1-20, and prompt advancement of the case to issue. No fee is believed to be due herewith, but should a fee be due it should be charged to Deposit Acct. No. 01-1425.


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